

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

In re:

JAR 259 FOOD CORP.,

Debtor.

Chapter 7

Case No. 22-40304 (JMM)

Hon. Jil Mazer-Marino

**AFFIDAVIT OF MICHAEL C. TROIANO IN SUPPORT  
OF APPLICATION FOR ORDER GRANTING  
WITHDRAWAL OF APPEARANCE AND REQUEST FOR  
REMOVAL FROM COURT MATRIX AND SERVICE LIST**

STATE OF NEW YORK     )  
  )     ss.:  
COUNTY OF NEW YORK    )

I, **MICHAEL C. TROIANO**, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746, the following is true and correct:

1. I am an Associate of Vedder Price, P.C. ("Vedder") and I am familiar with the facts and circumstances set forth herein.
2. I make this Affidavit in support of Vedder's application for an Order permitting Vedder and myself to withdraw as counsel for Narinder Gahra and Pritam Kaur in the above-captioned case and to be removed from all service lists, including all electronic service lists and the ECF Notification system in the above-captioned case (the "Application").
3. On or about October 20, 2022, Yann Geron, the Chapter 7 Trustee (the "Trustee"), by and through his special litigation counsel Klestadt Winters Jureller Southard & Stevens, LLC, filed a motion (the "Motion") in the above-captioned case (the "Bankruptcy Case") for an order, pursuant to section 105(a) of Title 11 of the United States Code (the "Bankruptcy Code") (A) finding Narinder Gahra ("Gahra") and Pritam Kaur ("Kaur," together with Gahra, the "Clients") in contempt of this Court's September 1, 2022 order [ECF No. 163](the "Order") compelling their production of documents by no later than September 6, 2022, and (B) assessing appropriate fees, costs, and penalties required to compel compliance thereupon, and holding them both jointly and severally liable therefor [ECF No. 230].

4. On November 4, 2022, I entered an appearance in the Bankruptcy Case to represent Clients in connection with the Motion.

5. Vedder proceeded to represent the Clients in connection with the Motion, through the Trustee's ultimate withdrawal of the Motion pursuant to the *Notice of Withdrawal Without Prejudice of Chapter 7 Trustee's Motion* [ECF Nos. 280-281] (the "Motion Withdrawal") on January 19, 2023.

6. By securing the Motion Withdrawal, Vedder concluded the scope of its engagement by Clients. Vedder has undertaken no further actions on behalf of the Clients in connection with the Bankruptcy Case.

7. Currently, Vedder understands the posture of this matter with respect to the Clients to be as follows: In December 2022, the Trustee sought and obtained leave to seek further discovery from Clients pursuant to Rule 2004, including from Clients' business affiliates, financial institutions, and third-party transferees [ECF Nos. 275, 277]. In January 2023, I advised the Trustee's special litigation counsel that Vedder did not, and was not engaged to represent Clients in connection with such discovery. I have not had any further communications with the Trustee's counsel regarding the Trustee's additional Rule 2004 discovery from Clients or related parties, but we understand the Trustee's pursuit of Rule 2004 discovery to be ongoing.

8. Prior to filing the Application, Vedder notified the Clients that its engagement with respect to the Motion had concluded and that the firm would be seeking an order permitting Vedder and myself to withdraw as counsel of record for Clients in connection with the Bankruptcy Case. Pursuant to Local Bankruptcy Rule 2090-1(d), Vedder has also provided notice of this Application to Clients, the Trustee, the Trustee's special litigation counsel, and the United States trustee.

9. In light of the fact that the Clients' original engagement of Vedder has concluded and Clients have not retained Vedder to represent them in connection with any additional matters in this Bankruptcy Case, including further Rule 2004 discovery, I do not believe the withdrawal of Vedder and myself as counsel of record to Clients will prejudice their interests.

*[Affidavit continues on following page]*

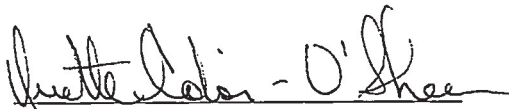
10. Wherefore, based on the representations above, I respectfully request that this Court enter an Order substantially in the form attached hereto granting Vedder's Application to withdraw its appearance as counsel for Narinder Gahra and Pritam Kaur in the above-captioned case, and to be removed from all service lists, including all electronic service lists and the ECF Notification system in the above-captioned case.

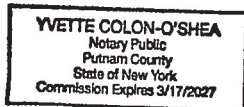
Dated: New York, New York  
May 30, 2023

VEDDER PRICE P.C.

By:   
Michael C. Troiano

Sworn to and subscribed before me  
on this 30<sup>th</sup> day of May, 2023.

  
Notary Public



Commission Registration No. 01C00002922